

House Engrossed

State of Arizona
House of Representatives
Forty-seventh Legislature
First Regular Session
2005

CHAPTER 220

HOUSE BILL 2220

AN ACT

AMENDING TITLE 8, CHAPTER 5, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 8-514.03 AND 8-514.04; RELATING TO CHILD WELFARE AND PLACEMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 8, chapter 5, article 1, Arizona Revised Statutes, is
3 amended by adding sections 8-514.03 and 8-514.04, to read:

4 8-514.03. Kinship foster care; requirements; investigation;
5 report

6 A. THE DEPARTMENT SHALL ESTABLISH KINSHIP FOSTER CARE SERVICES FOR A
7 CHILD WHO HAS BEEN REMOVED FROM THE CHILD'S HOME AND IS IN THE CUSTODY OF THE
8 DEPARTMENT. THE PROGRAM SHALL PROMOTE THE PLACEMENT OF THE CHILD WITH THE
9 CHILD'S RELATIVE FOR KINSHIP FOSTER CARE.

10 B. A KINSHIP FOSTER CARE PARENT APPLICANT WHO IS NOT A LICENSED FOSTER
11 CARE PARENT SHALL BE AT LEAST EIGHTEEN YEARS OF AGE. THE APPLICANT AND EACH
12 MEMBER OF THE APPLICANT'S HOUSEHOLD WHO IS AT LEAST EIGHTEEN YEARS OF AGE
13 SHALL SUBMIT A FULL SET OF FINGERPRINTS TO THE DEPARTMENT FOR THE PURPOSE OF
14 OBTAINING A STATE AND FEDERAL CRIMINAL RECORDS CHECK PURSUANT TO SECTION
15 41-1750 AND PUBLIC LAW 92-544. THE DEPARTMENT OF PUBLIC SAFETY MAY EXCHANGE
16 THIS FINGERPRINT DATA WITH THE FEDERAL BUREAU OF INVESTIGATION. THE
17 DEPARTMENT SHALL DETERMINE IF THE APPLICANT IS ABLE TO MEET THE CHILD'S
18 HEALTH AND SAFETY NEEDS BY CONDUCTING ONE OR MORE HOME VISITS AND
19 INTERVIEWING THE APPLICANT. THE DEPARTMENT OF ECONOMIC SECURITY MAY
20 INTERVIEW OTHER HOUSEHOLD MEMBERS, REVIEW THE APPLICANT'S PERSONAL AND
21 PROFESSIONAL REFERENCES AND CONDUCT CHILD PROTECTIVE SERVICES CENTRAL
22 REGISTRY CHECKS.

23 C. IF THE DEPARTMENT DETERMINES THAT A KINSHIP FOSTER CARE PLACEMENT
24 IS NOT IN THE BEST INTEREST OF THE CHILD, THE DEPARTMENT SHALL PROVIDE
25 WRITTEN NOTIFICATION TO THE APPLICANT WITHIN FIFTEEN BUSINESS DAYS. THE
26 NOTICE SHALL INCLUDE THE SPECIFIC REASON FOR DENIAL, THE APPLICANT'S RIGHT TO
27 APPEAL AND THE PROCESS FOR REVIEWING THE DECISION.

28 D. A KINSHIP FOSTER CARE PARENT MAY BE ELIGIBLE TO RECEIVE THE
29 FOLLOWING FINANCIAL SERVICES FOR THE CHILD:

30 1. FULL FOSTER CARE BENEFITS, INCLUDING PAYMENT IF THE KINSHIP FOSTER
31 CARE PARENT BECOMES A LICENSED FOSTER CARE HOME.

32 2. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES CASH ASSISTANCE PAYMENTS
33 FOR A CHILD ONLY CASE AND SUPPLEMENTAL FINANCIAL SUPPORT.

34 E. THE DEPARTMENT SHALL ESTABLISH PROCEDURES FOR CHILD WELFARE WORKERS
35 TO INFORM KINSHIP FOSTER CARE FAMILIES ABOUT AVAILABLE FINANCIAL AND
36 NONFINANCIAL SERVICES AND ELIGIBILITY REQUIREMENTS AND SHALL ASSIST THE
37 FAMILIES IN COMPLETING THE NECESSARY APPLICATION.

38 F. IF A FAMILY DECLINES TO APPLY FOR FINANCIAL SERVICES, THE FAMILY
39 SHALL SIGN A STATEMENT INDICATING THAT THE FAMILY DECLINED SERVICES. THE
40 STATEMENT DOES NOT PREVENT THE FAMILY FROM MAKING APPLICATION IN THE FUTURE.
41 THE WORKER SHALL PROVIDE A COPY OF THE STATEMENT TO THE FAMILY.

42 G. THE DEPARTMENT SHALL PROVIDE NONFINANCIAL SERVICES FOR A KINSHIP
43 FOSTER CARE PARENT THROUGH EXISTING MEANS OR REFERRAL. NONFINANCIAL SERVICES
44 MAY INCLUDE:

1. FAMILY ASSESSMENT.
2. CASE MANAGEMENT.
3. CHILD DAY CARE.
4. HOUSING SEARCH AND RELOCATION.
5. PARENTING SKILLS TRAINING.
6. SUPPORTIVE INTERVENTION AND GUIDANCE COUNSELING.
7. TRANSPORTATION.
8. EMERGENCY SERVICES.
9. PARENT AID SERVICES.
10. RESPITE SERVICES.
11. ADDITIONAL SERVICES THAT THE DEPARTMENT DETERMINES ARE NECESSARY TO MEET THE NEEDS OF THE CHILD AND FAMILY.

H. THE DEPARTMENT OF ECONOMIC SECURITY SHALL EVALUATE BIANNUALLY THE PERFORMANCE OF THE KINSHIP FOSTER CARE PROGRAM. ON OR BEFORE NOVEMBER 1, THE DEPARTMENT SHALL REPORT TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF THE SENATE, AND THE GOVERNOR. THE REPORT SHALL CONTAIN THE FOLLOWING INFORMATION:

1. THE DEMOGRAPHICS AND NUMBER OF CHILDREN PLACED WITH RELATIVE CAREGIVERS.
2. THE DEMOGRAPHICS OF KINSHIP FOSTER CAREGIVERS.
3. THE NUMBER OF RELATIVE CHILDREN PER KINSHIP FOSTER CARE FAMILY.
4. THE DEPARTMENT'S SUCCESS AT MAINTAINING KINSHIP FOSTER CARE PLACEMENTS.
5. THE TYPE OF SERVICES PROVIDED TO KINSHIP FOSTER CARE FAMILIES.
6. THE COST OF SERVICES PROVIDED TO KINSHIP FOSTER CARE FAMILIES COMPARED TO THE COST OF OUT-OF-HOME PLACEMENTS.
7. RECOMMENDATIONS REGARDING PROGRAM IMPROVEMENT.

8-514.04. Kinship care program; requirements

A. THE KINSHIP CARE PROGRAM IS ESTABLISHED IN THE DEPARTMENT OF ECONOMIC SECURITY. THE PROGRAM SHALL:

1. STREAMLINE, EXPEDITE AND COORDINATE EXISTING SERVICES AND REFERRALS.
2. PRESERVE FAMILIES.
3. HELP MEET THE PROTECTION, DEVELOPMENTAL, CULTURAL AND PERMANENCY NEEDS OF CHILDREN.
4. ENABLE FAMILIES TO SUSTAIN SUPPORT FOR A CHILD WHO CANNOT LIVE WITH THE CHILD'S PARENTS.

B. THE DEPARTMENT SHALL ADOPT RULES TO PRESCRIBE APPLICATION AND ELIGIBILITY REQUIREMENTS THAT PROVIDE AN EXPEDITED PROCESS FOR KINSHIP CARE FAMILIES TO RECEIVE CHILD ONLY TEMPORARY ASSISTANCE FOR NEEDY FAMILIES.

C. THE DEPARTMENT SHALL USE EXISTING MEASURES FOR OUTREACH AND MARKETING IN ORDER TO FACILITATE COMMUNITY AWARENESS REGARDING THE PROGRAM.

D. THE DEPARTMENT SHALL SUBMIT AN AMENDMENT TO MODIFY THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES STATE PLAN TO THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES. THE AMENDMENT SHALL WAIVE THE FACE-TO-FACE

1 REQUIREMENT FOR RELATIVE CAREGIVERS APPLYING FOR TEMPORARY ASSISTANCE FOR
2 NEEDY FAMILIES, FOR A CHILD ONLY CASE.

3 E. ANY KINSHIP CARE FAMILY THAT APPLIES FOR OR RECEIVES CASH
4 ASSISTANCE UNDER THIS SECTION ON BEHALF OF A DEPENDENT CHILD WHO IS UNDER
5 EIGHTEEN YEARS OF AGE SHALL CONFORM TO THE REQUIREMENTS ESTABLISHED PURSUANT
6 TO SECTIONS 46-292 AND 46-295 AND DEPARTMENT RULE UNLESS THE REQUIREMENTS
7 HAVE BEEN MODIFIED PURSUANT TO THIS SECTION.

8 F. THE DEPARTMENT SHALL KEEP CONFIDENTIAL INFORMATION IT OBTAINS
9 PURSUANT TO THIS SECTION.

APPROVED BY THE GOVERNOR APRIL 25, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 25, 2005.

Passed the House March 14, 2005

Passed the Senate April 18, 2005

by the following vote: 47 Ayes,

by the following vote: 27 Ayes,

8 Nays, 5 Not Voting

2 Nays, 1 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

19th day of April, 2005

at 8:45 o'clock a M.

[Signature]
Secretary to the Governor

Approved this 25 day of

April, 2005,

at 9³⁰ o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 25 day of April, 2005

at 4:33 o'clock P. M.

[Signature]
Secretary of State

H.B. 2220